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**EXPEDITED PROCEDURE
AFTER FINAL REJECTION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wolfgang Clemens et al.

Serial No.: 10/517,750

Filed: 06/10/2005

Title: Substrate for an Organic Field Effect Transistor, use of said Substrate, Method of Increasing the Charge Carrier Mobility and Organic Field Effect Transistor (OFET)

Examiner: Hoang Quan Tran HO

Art Unit: 2818

Attorney Docket: 411000-122

Customer No. 27162

MS AF
Commissioner for Patents
Box 1450
Alexandria, VA 22313-1450

**REQUEST TO WITHDRAW FINALITY
OF FINAL REJECTION MPEP 706.07(a)**

Dear Sir:

Applicants are in receipt of a final Office Action dated 2/22/07 in the above-entitled application. The Office Action rejects the claims under a new grounds of rejection.

Claims 4, 6 and 9 were objected to for formal matters involving an improper form of multiple dependent reference and thus not examined. No art was cited against these claims meaning that these claims were not examined on the merits. However, these claims should have been examined on the merits as the informality did not make the claims indefinite. See MPEP 2173.06 where even claims rejected under 35USC112 as indefinite should be examined over prior art. It is PTO policy that all claims even those that might be deemed indefinite should be examined to the extent possible with respect

to prior art. This was not done with respect to these claims. This was error as there is no difficulty in ascertaining the scope of these claims since the multiple dependency was clearly obvious as to what claims the dependent claims were dependent upon. These claims were only amended to correct the informality. Substantively no changes were made to these claims and the above Action is the first Action on the merits for these claims.

Thus the above Action is a new grounds of rejection as to claims 4, 6 and 9, which new grounds is not based on any substantive amendment to these claims. The amendment to claims 4, 6 and 9 had no effect on the ability of the Examiner to examine these claims initially in respect of art. Therefore, this amendment was not a substantive amendment and the rejection of these claims is a first Action on the merits which could have been made initially, but was not. See MPEP 706.07(a). "second or any subsequent actions on the merits shall be final, except where the examiner introduces a new ground of rejection that is neither necessitated by applicant's amendment of the claims . . ." Plainly the rejection of claims 4, 6 and 9 is not a second action on the merits and they should not be finally rejected. For these reasons, the finality of the rejection is premature at least as to these claims and should be withdrawn.

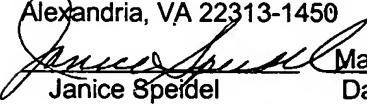
No fee is believed due, however, any fee due for this paper or overpayment is respectively requested to be charged or credited to deposit account 03-0678.



FIRST CLASS MAIL CERTIFICATE

I hereby certify that this paper and the attachments hereto are being deposited today with the U.S. Postal Service in an envelope, postage prepaid, as first class mail on the date indicated below addressed to:

MS AF
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450


Janice Speidel

March 2, 2007
Date

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Respectfully submitted,
Wolfgang Clemens et al.


by William Squire

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